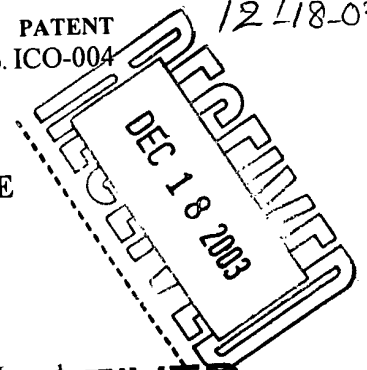




PATENT  
Attorney Docket No. ICO-004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Elsbree et al.  
APPLICATION NO. 09/478,775 GROUP NO. 2174  
FILING DATE: January 6, 2000 EXAMINER: Thomas Joseph  
TITLE: Graphical Human-Machine Interface on a Portable Device

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Technology Center 2100

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and other documents listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and other documents are enclosed. In addition, Office Actions have been issued in co-pending patent applications 09/267,204 and 09/419,239.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☒ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

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180.00 0P

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

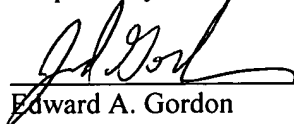
It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

Date: November 21, 2003  
Reg. No. 54,130

Tel. No.: (617) 310-8619  
Fax No.: (617) 248-7100

2710142\_1

Respectfully submitted,

  
\_\_\_\_\_  
Edward A. Gordon  
Attorney for the Applicants  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110



PATENT  
Attorney Docket No. ICO-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


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APPLICANT(S): Elsbree et al.  
APPLICATION NO. 09/478,775 GROUP NO. 2174 Technology Center 2100  
FILING DATE: January 6, 2000 EXAMINER: Not yet assigned  
TITLE: Graphical Human-Machine Interface on a Portable Device

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 21 day of November, 2003.

  
Susan Boucher

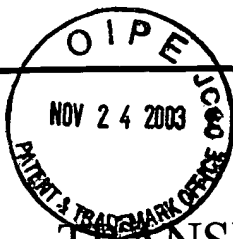
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is/are:

Transmittal Form (1 page); Fee Transmittal (1 page); check in the amount of \$180.00; Second Supplemental Information Disclosure Statement (2 pages); Second Supplemental PTO Form 1449 (3 pages); copies of cited references (A3-A17, B1-B8, C1-C20); and a return-receipt postcard.

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# TRANSMITTAL FORM

Application Number	09/478,775
Filing Date	January 6, 2000
First Named Inventor	Elsbree
Group Art Unit	2174
Examiner Name	Thomas J. Joseph
Attorney Docket No.	ICO-004 (4594/11)
BATCH NO. (after allowance)	Not applicable
Patent No.	Not applicable
Issue Date	Not applicable

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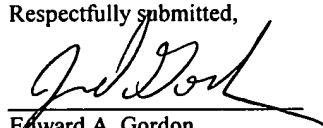
## ENCLOSURES (check all that apply)

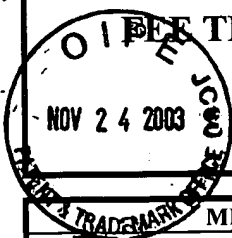
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____] <input type="checkbox"/> Petition for Extension of Time <input checked="" type="checkbox"/> Second Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> Second Supplemental Form PTO-1449 <input checked="" type="checkbox"/> Copies of SIDS Citations (A3-A17, B1-B8, C1-C20) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
--	--	---

## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Respectfully submitted,  
  
Edward A. Gordon  
Attorney for Applicants  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Date: November 21, 2003  
Reg. No. 54,130  
Tel. No.: (617) 310-8619  
Fax No.: (617) 248-7100



OFFICE TRANSMITTAL  
FY 2004

Complete if Known

Application Number	09/478,775
Filing Date	January 6, 2000
First Named Inventor	Elsbree
Group Art Unit	2174
Examiner Name	Not yet assigned
Attorney Docket No.	ICO-004 (4594/11)

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METHOD OF PAYMENT

1. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.
3. ☐ Applicant claims small entity status.

FEE CALCULATION

1. FILING FEE

Large Entity

Fee (\$)	Fee Description	Fee Paid
770	Utility filing fee	
340	Design filing fee	
160	Provisional filing fee	

Number Filed	Number Extra	Rate	Amount
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Total Claims - 20 = x \$ 18.00 =

Independent Claims - 3 = x \$ 86.00 =

☐ Multiple Dependent Claim(s), if any \$290.00 =

TOTAL:

SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$) 0.00

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
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Total - = x \$ 18.00 =

Indep. - = x \$ 86.00 =

☐ First Presentation of Multiple Dep. Claim + \$290.00 =

TOTAL: (\$)

SMALL ENTITY DISCOUNT: (\$)

SUBTOTAL (2) (\$)0.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
420	210	Extension for reply within second month	
950	475	Extension for reply within third month	
1480	740	Extension for reply within fourth month	
2010	1005	Extension for reply within fifth month	
330	165	Notice of Appeal	
330	165	Filing a brief in support of an appeal	
290	145	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	180.00
770	385	Filing a submission after final rejection (37 CFR 1.129(a))	
770	385	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
110	55	Submission of Terminal Disclaimer	
Other fee (Specify)			
Other fee (Specify)			

SUBTOTAL (3) (\$) 180.00

SUBTOTAL (1) 0.00

SUBTOTAL (2) 0.00

SUBTOTAL (3) 180.00

TOTAL (\$) 180.00

CORRESPONDENCE ADDRESS

Direct all correspondence to:

Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower-125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

Date: November 21, 2003  
Reg. No.: 54,130  
Tel. No.: (617) 310-8619  
Fax No.: (617) 248-7100

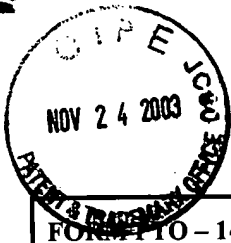
Edward A. Gordon  
Attorney for the Applicants  
Testa, Hurwitz & Thibault, LLP  
High Street Tower-125 High Street  
Boston, MA 02110

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SHEET 1 OF 3



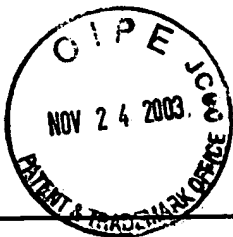
FORM T-10 - 1449  <b>SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>	ATTORNEY DOCKET NO. ICO-004 (4594/11)  APPLICANTS: Elsbree et al.  APPLICATION NO. 09/478,775  FILING DATE: January 6, 2000      GROUP: 2174
---	--

## U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A3	4,141,066	2/20/79	Keiles	364	119	9/13/97
	A4	5,671,415	9/23/97	Hossain	395	701	6/1/94
	A5	5,762,912	3/10/98	Krall, Jr. et al.	364	550	9/6/96
	A6	5,812,668	9/22/98	Weber	380	24	6/17/96
	A7	5,815,657	9/29/98	Williams et al.	395	186	4/26/96
	A8	5,818,447	10/6/98	Wolf et al.	345	335	6/6/96
	A9	5,828,840	10/27/98	Cowan et al.	395	200.33	8/6/96
	A10	5,835,914	11/10/98	Brim	707	206	2/18/97
	A11	5,850,446	12/15/98	Berger et al.	380	24	6/17/96
	A12	5,910,895	6/8/99	Proskauer et al.	364	468.28	6/13/97
	A13	5,938,781	8/17/99	Proskauer	714	724	10/13/98
	A14	6,032,203	2/29/00	Heidhues	710	11	4/7/97
	A15	6,131,122	10/10/00	Sampson	709	227	6/1/98
	A16	6,151,625	11/21/00	Swales et al.	709	218	4/30/99
	A17	6,389,464	5/14/02	Krishnamurthy et al.	709	220	6/27/97

## FOREIGN PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B1	0 762 273 A1	3/12/97	EP	G06F	9/44	9/4/96	N	Y
	B2	0 825 506 A2	2/25/98	EP	G05B	19/418	7/14/97	N	Y
	B3	0 266 784 A2	5/11/88	EP	G05B	19/417	11/6/87	N	Y
	B4	0 460 308 A1	12/11/91	EP	G06F	11/14	6/5/90	N	Y

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SHEET 2 OF 3

<b>FORM PTO - 1449</b>					<b>ATTORNEY DOCKET NO. ICO-004 (4594/11)</b>				
<b>SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>					APPLICANTS: Elsbree et al.				
					APPLICATION NO. 09/478,775				
					FILING DATE: January 6, 2000      GROUP: 2174				
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B5	0 566 283 A2	10/20/93	EP	G05B	19/00	4/1/93	N	Y
	B6	0 778 688 A2	6/11/97	EP	H04L	29/06	11/19/96	N	Y
	B7	0 810 499 A2	12/3/97	EP	G05B	19/418	6/1/93	N	Y
	B8	97/00475	1/3/97	WO	G06F	9/46	6/13/96	N	Y
<b>OTHER ART, JOURNAL ARTICLES, ETC.</b>									
EXAM. INIT.	<b>OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)</b>								
	C1	B. Anger, Windows NT and 95 OSs, OPC, ActiveX, and RAD Tools Shape Course of OL Software, I & CS Industrial and Process Control Magazine, Vol. 69, November 1996, pgs. 49-54.							
	C2	E. Bassett, Making the OPC Connection, Start Magazine Vol. 2 No. 4, July/August 1998, downloaded 02/24/99 from <a href="http://www.startmag.com/v2n4opcp002.htm">http://www.startmag.com/v2n4opcp002.htm</a> , 3 pages							
	C3	M. Edmond, Efforts Advance to Tie Shop-Floor Automation to Back-Office Systems, Start Magazine, Vol. 2 No. 1, January/February 1998, downloaded 02/24/99 from <a href="http://www.startmag.com/v2n1opc1.htm">http://www.startmag.com/v2n1opc1.htm</a> , 6 pages							
	C4	M. Edmund, 51 Companies were selected as The Hottest Companies in 1998 after months of deliberation by a panel of start's editors, Start Magazine Vol. 2 No. 4, July/August 1998, downloaded 02/24/99 from <a href="http://www.startmag.com/v2n4p030.htm#ICONICS">http://www.startmag.com/v2n4p030.htm#ICONICS</a> , 23 pages							
	C5	ICONICS DataWorX32, OPC Redundancy & Bridging, <a href="http://www.iconics.com/Genesis32/DataworX_99.htm">http://www.iconics.com/Genesis32/DataworX_99.htm</a> , printed 10/15/99.							
	C6	Microsoft Corporation, COM Technologies Home Page, downloaded 03/12/98 from <a href="http://www.microsoft.com/com/comintro.htm">http://www.microsoft.com/com/comintro.htm</a> , 1 page							
	C7	National Instruments: "Graphical Programming for PC Automation" Instrupedia 97. Your Interactive Encyclopedia For Instrumentation, vol. 2, no. 1, 1997, pages 6-21 to 6-28, XP-002132205.							
	C8	National Instruments, OPC - Frequently Asked Questions, downloaded 03/12/98 from <a href="http://www.natinst.com/automation/opc_faq.htm">http://www.natinst.com/automation/opc_faq.htm</a> , 2 pages							
	C9	OPC Programmers' Connection, History of OPC, downloaded 03/12/98 from <a href="http://www.dspace.dial.pipex.com/town/estate/0n50/history.shtml">http://www.dspace.dial.pipex.com/town/estate/0n50/history.shtml</a> , 2 pages							
	C10	OPC ToolWorX, downloaded 03/12/98 from <a href="http://www.iconics.com/opc/toolw2.htm">http://www.iconics.com/opc/toolw2.htm</a> , 3 pages							



<b>FORM PTO - 1449</b>		<b>ATTORNEY DOCKET NO. ICO-004 (4594/11)</b>	
<b>SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>		<b>APPLICANTS:</b> Elsbree et al.	
		<b>APPLICATION NO.</b> 09/478,775	
		<b>FILING DATE:</b> January 6, 2000	<b>GROUP:</b> 2174
<b>EXAM. INIT.</b>	<b>OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)</b>		
	C11	What is OPC?, downloaded 03/12/98 from <a href="http://www.iconics.com/opc/what_opc.htm">http://www.iconics.com/opc/what_opc.htm</a> , 1 page	
	C12	Press Release, ICONICS GraphWorX32 Awarded Prestigious Control Engineering 1997 Editors' Choice Award, February 27, 1998, downloaded 03/12/98 from <a href="http://www.iconics.com/CE97awrd.htm">http://www.iconics.com/CE97awrd.htm</a> , 2 pages	
	C13	S. Robinson and A. Krasilshchikov, ActiveX Magic: An ActiveX Control and DCOM Sample Using ATL, May 1997, downloaded 3/12/98 from <a href="http://www.microsoft.com/com/overview.htm">http://www.microsoft.com/com/overview.htm</a> , 11 pages	
	C14	J. Schmoll, Wird OLE for Process Control (OPC) Ein Neuer Industriestandard ?, Automatisierungstechnische Praxis-ATP, Vol. 39, May 1997, pgs. 14-17.	
	C15	Shepard et al., How MFC Does Activex Connections, Dr. Dobbs Journal, Vol. 22, April 1997, pgs. 109-113.	
	C16	A. Shrotriya: "Using Object Linking And Embedding (Ole) Automation In Labview 4.0" National Instruments, Application Note 081, XP-002132206.	
	C17	Vertical Industry Specifications Supported in Windows DNA", <a href="http://www.microsoft.com/Dna/industry/vertical.asp">http://www.microsoft.com/Dna/industry/vertical.asp</a> , printed 10/18/99.	
	C18	Welcome to Iconics, OPC-To-The-Core" <a href="http://www.iconics.com/index2.htm">http://www.iconics.com/index2.htm</a> , printed 10/18/99	
	C19	P. Wiedenbergl, ActiveX Technology Optimizes Process Visualization, Engineering and Automation, Vol. 20, January 1998, pgs. 36-37.	
	C20	International Search Report, PCT/US99/05534, 7 pages, July 6, 1999.	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	

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